



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: **David Lewis,**)
Hans Herweijer, James E. Hagstrom,)
Aaron Loomis, Jon A. Wolff,)
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Serial No.: **10/007,448**) Examiner: **Terra C. Gibbs**
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Filed: **11/07/2001**)
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Group Art Unit: **1635**)

For: **Inhibition Of Gene Expression By Delivery Of Small Interfering RNA To Post-Embryonic Animal Cells *In vivo***

DECLARATION UNDER 37 C.F.R. §1.132

*Considered
6/10/04
A. L.*
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

I, David Lewis, hereby declare as follows:

1. I am an inventor of the captioned application.
2. I submit with this Declaration and Response further experimental material (attached) illustrating: (a) inhibition of endogenous genes; cytosolic alanine aminotransferase, peroxisome proliferators-activated receptor, HMG Coenzyme A reductase, and green fluorescent protein following intravascular delivery of siRNA; (b) delivery of siRNA to heart, skeletal muscle, prostate and lung; (c) images demonstrating delivery of fluorescently labeled siRNA to liver; and (d) evidence that inhibition of gene expression by the delivered siRNA is not dependent on interaction of the siRNA with

a co-delivered plasmid prior to delivery. The experiments were performed according to the methods provided in the Specification.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


David Lewis 12/15/03
Date